

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** July 26, 2021

SUBJECT: Consider Ordinance No. 3704, amending Ordinance No. 3568, and extending the timeline to satisfy completion of required public infrastructure for conveyance of an abandoned portion of Sayers Lane right-of-way.

PRESENTER: Caroline Waggoner, Director of Public Works

SUMMARY:

The City Council is being asked to approve an ordinance which extends the timeline for conveyance of a portion of the Sayers Lane right-of-way (ROW) as a condition of development and dedication of replacement right-of-way in the Woodbert Addition.

GENERAL DESCRIPTION:

The ROW for Sayers Lane was dedicated by deed in 1950 by a property owner (last name Austin) who owned both the north and south side of the proposed Sayers Lane. The ROW was dedicated with the same instrument the Austin's used to sell the property on the south side of Sayers.



The parcel outlined in blue is the land conveyed by deed with the ROW dedication shown in red hatch. The property on the north side of the new Sayers Lane dedication was sold a year later in 1951 to the Kidd family, who still owns most of that property. The City Attorney determined that abandoning the property to the owner(s) on the south was a



reasonable and legally authorized disposition of the property. Abandonment of the ROW with a two-year timeline for infrastructure construction as a condition of conveyance was approved by City Council in January 2019, along with a final plat of the property which incorporated the abandoned ROW into one of the proposed residential lots. In exchange for the 2019 abandonment of ROW, the developer dedicated new right-of-way, including a cul-de-sac at the end of the dedication, providing for a full-size turnaround at the end of the street. The abandoned right-of-way is not paved, and contains no public or franchise utilities.

The developer was not able to meet the required two-year timeline for infrastructure construction as a result of the global pandemic impacting the developer's ability to secure funding for the improvements. The proposed ordinance amends the previously approved abandonment ordinance, and provides for an additional 18-months to construct the public infrastructure as a condition of conveyance of the abandoned ROW to the developer for inclusion in a residential lot.

RECOMMENDATION:

Approve Ordinance No. 3704.